

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE	:	
BRANDON LOUIS WHITLEY	:	
Debtor(s)	:	
	:	
	:	CHAPTER 13
JACK N. ZAHAROPOULOS	:	
CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	CASE NO. 4-24-02934
	:	
BRANDON LOUIS WHITLEY	:	
Respondent(s)	:	

TRUSTEE’S MOTION TO DISMISS CASE

AND NOW, on December 31, 2024, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania, who, by and through his Attorney, Agatha R. McHale, Esquire, moves this Honorable Court for dismissal of the above-captioned Chapter 13 bankruptcy case in accordance with §§521 and 1317(c) of 11 U.S.C, due to failure to file documents. In support of this Motion, Trustee states as follows:

1. On November 13, 2024, Debtor filed this case with the Middle District of Pennsylvania, which case was assigned Docket No. 24-02934.
2. The November 14, 2024 Court Order at Doc. 4 established a due date for Debtor to file documents of November 27, 2024.
3. Debtor failed to file documents, namely the Means Test and Plan, by November 27, 2024.

Therefore, Movant believes and avers that, under the circumstances, Debtors demonstrated substantial abuse and a lack of good faith pursuant to §§521 and 1317(c).

Notice and other instructions are included with this Motion to Dismiss.

WHEREFORE, Movant requests this Honorable Court to:

1. Dismiss this case in accordance with 11 U.S.C. §§521 and 1317(c).

Respectfully submitted:

/s/ Agatha R. McHale, Esquire

Attorney ID: 47613

Attorney for Trustee

Jack N. Zaharopoulos

Standing Chapter 13 Trustee

8125 Adams Drive, Suite A

Hummelstown, PA 17036

Phone: (717) 566-6097

Email: amchale@pamd13trustee.com

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ORDER DISMISSING CASE

Upon consideration of the Trustee's Motion to Dismiss Case, it is hereby ORDERED
that the above-captioned bankruptcy be and hereby is DISMISSED.

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NOTICE

NOTICE IS HEREBY GIVEN that Jack N. Zaharopoulos, Standing Chapter 13 Trustee for the Middle District of Pennsylvania has filed a Motion to Dismiss with Prejudice pursuant to your Chapter 13 bankruptcy filing.

If you object to the relief requested, you must file your objection/response on or before January 14, 2025 with the Clerk of Bankruptcy Court:

Max Rosenn U.S. Courthouse
197 South Main Street, Room 274
Wilkes-Barre, PA 18701

and serve a copy on the Chapter 13 Trustee for the Middle District of Pennsylvania:

Jack N. Zaharopoulos
Office of the Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036.

If you file and serve an objection/response within the time permitted, a hearing will be held on **January 23, 2024, at 10:00 AM at the U.S. Courthouse, 197 S. Main St. Wilkes-Barre, PA.** If you do not file an objection/response within the time permitted the Court will deem the motion unopposed and proceed to consider the motion without further notice or hearing and may grant the relief requested.

Date: December 31, 2024

/s/ Agatha R. McHale, Esquire
Attorney ID: 47613
Attorney for Trustee
Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
Phone: (717) 566-6097
Email: amchale@pamd13trustee.com

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CERTIFICATE OF SERVICE

AND NOW, this 31st day of December 2024, I hereby certify that I have served the foregoing by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

UNITED STATES TRUSTEE
228 WALNUT STREET, SUITE 1190
HARRISBURG, PA 17101

SERVED ELECTRONICALLY

BRANDON LOUIS WHITLEY
4316 PINE MOUNTAIN RD
JERSEY SHORE, PA 17740

SERVED VIA FIRST CLASS MAIL

/s/Tammy Life
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee